

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

MARK FRANCIS AUGARE,

Plaintiff,

v.

KILOLO KIJAKAZI, Commissioner of The
Social Security Administration,

Defendant.

Case No. 20-CIV-192-RAW-SPS

ORDER REMANDING CASE FOR FURTHER PROCEEDINGS

On August 31, 2021, the United States Magistrate Judge entered a Report and Recommendation recommending that the above-styled case be reversed and remanded for further proceedings [Docket No. 20]. The Commissioner filed an Objection [Docket No. 21]. The Magistrate Judge found that correct legal standards were not applied by the Administrative Law Judge and the decision of the Commissioner is therefore not supported by substantial evidence.

Upon full consideration of the record and the issues herein, the court finds that the Magistrate Judge's recommendation to reverse and remand for further proceedings is well supported based upon the ALJ's failure to properly evaluate the opinion of the treating physician. Accordingly, the Report and Recommendation of the Magistrate Judge is hereby affirmed and adopted as this court's Findings and Order.

IT IS THEREFORE ORDERED that the decision of the Administrative Law Judge is hereby **REVERSED** and this case is hereby **REMANDED** pursuant to the fourth sentence of 42 U.S.C. §405(g) for further administrative proceedings.

IT IS SO ORDERED this 27th day of September, 2021.

A handwritten signature in cursive script, reading "Ronald A. White". The signature is written in dark ink and is positioned above a horizontal line.

HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA